

United States Court of Appeals
for the Fifth Circuit

United States Courts
Southern District of Texas
FILED

December 27, 2024

Nathan Ochsner, Clerk of Court

No. 24-20140
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

December 5, 2024

Lyle W. Cayce
Clerk

RODOLFO BENITEZ,

Plaintiff—Appellant,

versus

AMGUARD INSURANCE COMPANY,

Defendant—Appellee.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:22-CV-3619

Before DAVIS, STEWART, and SOUTHWICK, *Circuit Judges.*

J U D G M E N T

This cause was considered on the record on appeal and the briefs on
file.

No. 24-20140

IT IS ORDERED and ADJUDGED that the judgment of the District Court is AFFIRMED.

The judgment or mandate of this court shall issue 7 days after the time to file a petition for rehearing expires, or 7 days after entry of an order denying a timely petition for panel rehearing, petition for rehearing en banc, or motion for stay of mandate, whichever is later. See Fed. R. App. P. 41(b). The court may shorten or extend the time by order. See 5th Cir. R. 41 I.O.P.



Certified as a true copy and issued
as the mandate on Dec 27, 2024

Attest:

Jyle W. Cayce
Clerk, U.S. Court of Appeals, Fifth Circuit

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

TEL. 504-310-7700
600 S. MAESTRI PLACE,
Suite 115
NEW ORLEANS, LA 70130

December 27, 2024

Mr. Nathan Ochsner
Southern District of Texas, Houston
United States District Court
515 Rusk Street
Room 5300
Houston, TX 77002

No. 24-20140 Benitez v. AmGuard Insurance Co
USDC No. 4:22-CV-3619

Dear Mr. Ochsner,

Enclosed is a copy of the judgment issued as the mandate and a copy of the court's opinion.

Sincerely,

LYLE W. CAYCE, Clerk

Dantrell L. Johnson

By: _____
Dantrell L. Johnson, Deputy Clerk
504-310-7689

cc:

Mr. Kevin Graham Cain
Mr. Jamie Penton Cooper
Mr. Eric B. Dick
Mr. Christopher Weldon Martin
Mr. Alexander B. Wathen